

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicants:	Bishop, et al.	Docket No.:	54022.1417
Serial No.:	10/711,965	Filing Date:	October 15, 2004
Group Art Unit:	3621	Confirmation No.:	5964
TITLE:	RF PAYMENT VIA A MOBILE DEVICE	Examiner:	Pierre E. Elisca

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:


Applicants thank the Examiner for the Notice of Allowance mailed on October 6, 2008, and in reply present the following Remarks.

REMARKS

Applicants acknowledge the Examiner's statements of reasons for allowance of the above-referenced patent application, and agree that the claimed subject matter is patentably distinct over the references cited. However, Applicants take no position regarding the reasons for allowance presented by the Examiner other than the positions Applicants may have previously taken during prosecution. Therefore, the Examiner's reasons for allowance should not be attributed to Applicants as an indication of the basis for Applicants' belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record, and Applicants do not waive their rights to such arguments by not further addressing such reasons herein.

Respectfully submitted,

Dated: January 6, 2009



David G. Barker
Reg. No. 58,581

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6376
Fax: 602-382-6070
Email: dbarker@swlaw.com